

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARI MAROTTA

Plaintiff,

v.

MONROE COUNTY (MONROE COMM.
HOSPITAL),

Defendant.

Stipulation and Order of
Settlement
Case No. 14-CV-6310[EAW]

ORDER & STIPULATION DISCONTINUING ACTION [FRCP Rule 41]

WHEREAS, no receiver has been appointed in this action; and

WHEREAS, this is not a class action; and

WHEREAS, the defendant denies the allegations contained in the Plaintiff's Complaint and discovery responses and amendments to those papers; and

WHEREAS, the defendant denies liability, culpability, fault, malfeasance, misfeasance and nonfeasance; but

WHEREAS, the defendant is desirous of resolving this action without incurring additional litigation costs, disbursements, expenses and expert witness fees;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all of the parties that have appeared in the above entitled action, that:

1. The above-entitled action be discontinued without costs to either party against the other.

2. The above-entitled action be discontinued **with prejudice and on the merits, and without costs or attorneys fees** to either party against the other.

3. The above-entitled action be discontinued against Monroe County (Monroe Community Hospital) with prejudice and on the merits and without costs to or against Monroe County.

4. This Stipulation may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which counterparts taken together shall constitute one and the same instrument.



MICHAEL E. DAVIS, ESQ.

MONROE COUNTY ATTORNEY

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IT IS SO ORDERED.

Hon. Elizabeth A. Wolford
United States District Court for the
Western District of New York

Dated: December , 2017
At: Rochester, New York

